

# REGISTER

*South Dakota Legislative Research Council*



*Volume 30*

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**A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE**

**NOTICES OF PROPOSED RULES:** (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

**Department of Social Services:** (February 19, 2004) intends to adopt a rule that will move a mandated provision of the state Medicaid program from the South Dakota Codified Laws into the Administrative Rules of South Dakota. The provision to be moved relates to protecting the resources of an individual when that individual's spouse enters a long-term care facility.

This rule is adopted under the procedure provided in SDCL 1-36-20. This procedure permits adoption of a federally mandated rule

without following the procedures set forth in SDCL 1-26-4 to 1-26-6, inclusive.

## **FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

**Administrative Rules: None**

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

## **REMINDER OF HEARINGS SCHEDULED**

2-25-2004	Education	Adopt rules to implement the Hagen-Harvey memorial scholarship program; 30 SDR 119.
2-26-2004	Transportation	Amend speed zones in Brown County, Codington County, Deuel County, Lincoln County, and Roberts County; 30 SDR 125.
2-26-2004	Transportation	Amend rules to authorize mowing certain highway rights-of-way and protect pheasant habitat in certain areas; 30 SDR 125.
3-3-2004	Labor	Adopt rules regarding seasonal designation for fireworks stands operators, eliminate the denial of benefits to unemployed workers who serve on juries, and allow filing appeals by facsimile; 30 SDR 121.
3-5-2004	Game, Fish and Parks	Amend rules regarding the daily and possession limits for walleye, sauger, or walleye-sauger hybrids in the South Dakota-Minnesota boundary waters; remove the 14" minimum length restriction for walleye, sauger, and walley-sauger hybrids in several bodies of water including Big Stone Lake in

		Grant and Roberts counties and Hartford Beach Creek within Hartford Beach State Park; add the South Dakota-Minnesota boundary waters to the bodies of water where no more than one walleye, sauger, or walleye-sauger hybrid may be taken daily which is 20" or greater in length; amend the fishing limits for bluegill, sunfish, or combination thereof, and crappie in the South Dakota-Minnesota boundary waters; and permit aerial hunting upon or over certain publicly owned lands under certain circumstances; 30 SDR 129.
3-17-2004	Revenue and Regulation: Commission on Gaming	Adopt a rule to allow a variation of poker known as Silverado Stud poker and Silverado Stud poker bonus; 30 SDR 129.

### *Rules Review Committee Meetings*

The Rules Review Committee will hold an informal meeting on Monday, March 15, 2004, at 12:00 p.m. in the Conference Room of the LRC office to set the meeting schedule for the upcoming interim.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC web site.

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